



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,940	09/09/2003	Jason D. Meridew	5490-000341	1613
27572	7590	05/07/2007	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C.			SHAFFER, RICHARD R	
P.O. BOX 828			ART UNIT	PAPER NUMBER
BLOOMFIELD HILLS, MI 48303			3733	
MAIL DATE		DELIVERY MODE		
05/07/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

H

Interview Summary	Application No.	Applicant(s)	
	10/657,940	MERIDEW ET AL.	
	Examiner	Art Unit	
	Richard R. Shaffer	3733	

All participants (applicant, applicant's representative, PTO personnel):

(1) Richard R. Shaffer.

(3) Christopher Eusebi.

(2) Eduardo Robert.

(4) _____.

Date of Interview: 01 May 2007.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: 1,9,16,20,21,25,26,32 and 36.

Identification of prior art discussed: Kohrs (US 6,224,631) and Greenfield (US 5,584,835).

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

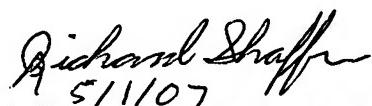
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



EDUARDO C. ROBERT
SUPERVISORY PATENT EXAMINER



Richard Shaffer
5/11/07

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's attorney, Christopher Eusebi, contacted the Patent Office to discuss the independent claim amendments prior to a first action after RCE. Each independent claim was discussed with the main theme being that the functional language was insufficient to overcome the prior art rejections, but that either adding an additional element (i.e. the driver to the implant and fastener) was a start, and that when the fastener was stated as being a staple, that the broadest interpretation precluded the use of the plugs of Kohrs. Claims 21, 25, and 26 were discussed for the continued 35 U.S.C. 112, second paragraph issues and Mr. Eusebi said that such would be corrected. Claim 32 was stated as appearing to be allowed over the two previous pieces of art. In general, applicant was mostly informed how the independent claims would still be rejected with recommendations for overcoming the references.